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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/873,684	06/04/2001	William F. McKenzie	McKenzie 3-3	4785
23506	7590	04/27/2005	EXAMINER	
GARDNER GROFF, P.C. 2018 POWERS FERRY ROAD SUITE 800 ATLANTA, GA 30339			EDELMAN, BRADLEY E	
			ART UNIT	PAPER NUMBER
			2153	

DATE MAILED: 04/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/873,684

Applicant(s)

MCKENZIE ET AL.

Examiner

Bradley Edelman

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 December 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5,7-13,15-22 and 24-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5,7-13,15-22 and 24-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This Office action is in response to Applicant's amendment and request for reconsideration filed on December 10, 2004. Claims 1-5, 7-13, 15-22, and 24-27 are presented for further examination.

Claim Objections

Claim 17 is objected to because of the following informalities: the claim appears to contain a typographical error – line 1 of the claim reads “the system of claim 1S” instead of “the system of claim 15.” Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1-3, 5, 11-13, and 18-21 are rejected under 35 U.S.C. 102(e) as being anticipated by Kidder et al. (U.S. Patent No. 6,445,774, hereinafter “Kidder”).

In considering claim 1, Kidder discloses a method for handling notification messages generated within a communication network (“alarms”), the method comprising the steps of:

receiving information ("network topology and site data") corresponding to a plurality of notification messages ("alarm reports"), each of the plurality of notification messages corresponding to a specific network device and a status within the communication network (col. 7, lines 10-17; col. 9, lines 1-5);

providing a storage device ("automated workflow system 409") having data arranged such that pre-established managed correlation orbs (i.e. "created event reports") within the storage device are identified, the pre-established managed correlation orbs for determining a relational correspondence between the received information and an associated notification message (col. 9, lines 1-5, wherein the created event reports "enhance the alarm reports with network topology and site data");

receiving one of the plurality of notification messages ("alarm reports");

entering the storage device with the one of the plurality of notification messages (col. 9, lines 1-2, the workflow system 409 "retrieves alarm reports");

retrieving rules for processing the one of the plurality of notification messages, the rules being stored in the storage device (col. 9, lines 1-5, wherein the created event report contains rules for grouping the notification messages; see also col. 11, lines 56-66, wherein one rule is to group events by geographic location);

determining at least one specific pre-established managed correlation orb to which the received information and the associated notification message is related (i.e. a certain type of event); and

storing the received information and the associated notification message in the at least one specific pre-established managed correlation orb identified by the determining

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step (col. 8, lines 59-67, "the workflow LCA 412 creates an event report record in event database 415"; col. 9, lines 1-5, 19-34, wherein the system "automatically retrieves the alarm reports" and "enhances these alarm reports with network topology and site data" according to the created event report).

In considering claim 2, Kidder further discloses defining a plurality of unique instances within each pre-established managed correlation orb (col. 11, lines 56-66, wherein the events can be further broken down by geographic region).

In considering claim 3, Kidder further discloses the step of determining at least one unique instance within the pre-established managed correlation orbs to which the received information and the associated notification message are related and storing the received information within the at least one unique instances (col. 11, lines 56-66, wherein the table stores the events related by geographic region as a group).

In considering claim 5, Kidder further discloses that the status within the communication network includes one of a network device, a protocol, a function, a circuit, a program, or a chassis (col. 1, lines 26-35, describing network devices).

In considering claim 11, Kidder further discloses a system for processing notification messages ("alarms"), the system comprising:

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a processor, the processor configured to accept an input, the input including a plurality of notification messages ("alarm reports"), each of the plurality of notification messages corresponding to a network device and a status within a communication network (col. 7, lines 10-17);

a plurality of memory elements, the plurality of memory elements comprising a plurality of pre-established managed correlation orbs and capable of storing the plurality of notification messages (col. 8, lines 9-13, 59-67, "the network monitor may then select one or more of these alarm reports to create an event," wherein "an event is a grouping of alarm reports to facilitate their processing," such that memory within a database is set aside to store the grouped messages); and

a storage device in communication with the processor, the storage device configured to store a set of processing rules for processing each of the plurality of notification messages (col. 8, lines 6-14, wherein grouping the events into events constitutes processing rules), the set of processing rules designed to correlate the plurality of notification messages with the plurality of pre-established managed correlation orbs, wherein the correlation includes storing each of the plurality of notification messages in at least one specific of the plurality of pre-established managed correlation orbs to which the set of processing rules designate the notification message corresponds (col. 8, lines 9-13, 59-67; col. 9, lines 1-5, wherein the network monitor correlates the alarms with the groupings, and stores the alarms as part of the groupings in the database).

In considering claim 12, Kidder further discloses that the plurality of pre-established managed correlation orbs is designated with regard to structural, logical, associational or functional correspondence with the communication network (col. 8, lines 5-14, wherein the alarms are grouped according to the alarms' associational correspondence with each other).

In considering claim 13, Kidder further discloses that each pre-established managed correlation orb further includes unique instances (i.e. each event is a unique instance).

In considering claim 18, claim 18 presents a system for performing the same method as claim 1, and is thus rejected for the same reasons.

In considering claim 19, claim 19 presents a system for performing the same method as claim 5, and is thus rejected for the same reasons.

In considering claims 20-21, claims 20-21 present a system for performing the same method as claims 2-3, and are thus rejected for the same reasons.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 4, 7-10, 15-17, 22, and 24-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kidder, in view of Roytman et al. (U.S. Patent No. 6,356,282, hereinafter "Roytman").

In considering claim 4, Kidder further discloses that the grouped notification message is represented by an integer (col. 12, lines 60-64, "the network monitor's display may include the event report number associated with the alarm report or provide some other indicator which associated the event report with the alarm report"). However, Kidder does not explicitly state that the number is used to index to a notification message definition stored in the storage device. Nonetheless, indexing an alarm numerical value to an alarm textual definition in a network monitoring system is well known, as evidenced by Roytman. In a similar art, Roytman discloses a network monitoring system for viewing alarms, and for grouping alarms into different categories for ease of viewing (col. 7, lines 23-45), wherein the alarm can be coded as a numeric value or an associated textual ID (col. 8, lines 31-34), such that the ID or numeric value would necessarily be mapped to a stored textual definition. Given this knowledge, a person having ordinary skill in the art would have readily recognized the desirability and advantages of using a numerical value to represent the alarms as taught by Roytman in the system taught by Kidder, because these numerical values will take up less space on the monitor's computer screen, and thus will allow more information to be viewed on the

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screen. Given this knowledge, it would have been obvious to represent the alarm and event messages taught by Kidder as numerical values, as taught by Roytman.

In considering claims 7 and 15, Kidder further discloses that the grouped notification message is represented textually ("event report number... or some other indicator," col. 12, lines 60-64). However, Kidder does not explicitly disclose that the textual representation corresponds to a message textual definition being stored in the storage device. Nonetheless, indexing a notification message to a message textual definition corresponding to the notification message is well known, as evidenced by Roytman. In a similar art, Roytman discloses a network monitoring system for viewing alarms, and for grouping alarms into different categories for ease of viewing (col. 7, lines 23-45), wherein the alarm can be coded as a textual ID (col. 8, lines 31-34), such that the ID or value would necessarily be mapped to a stored textual definition. Given this knowledge, a person having ordinary skill in the art would have readily recognized the desirability and advantages of using a textual ID to represent the alarms as taught by Roytman in the system taught by Kidder, because these ID values will take up less space on the monitor's computer screen than an entire definition, and thus will allow more information to be viewed on the screen. Given this knowledge, it would have been obvious to represent the alarm and event messages taught by Kidder as textual IDs, as taught by Roytman.

In considering claim 8, Roytman further discloses that the notification message textual definition comprises at last a probable cause ("probable cause," col. 8, lines 33-34).

In considering claim 9, Kidder further discloses retrieving topographical data stored in the storage device corresponding to the one of the plurality of notification messages; and

creating a first graphical diagram of the communication network, wherein a segment of the communication network diagram corresponding to the information conveyed by the one of the plurality of notification messages is indicated (col. 7, lines 15-20, "iconic map;" Fig. 5).

In considering claim 10, Kidder further discloses creating a second graphical diagram of the indicated segment of the network diagram, wherein the second graphical diagram includes a plurality of graphical depictions of both a plurality of network devices present in a portion of the communication network that corresponds to the indicated segment of the communication network graphical diagram and a plurality of connections therebetween (Fig. 5).

In considering claim 16, Kidder further discloses that the status within the communication network includes one of a network device, a protocol, a function, a circuit, a program, or a chassis (col. 1, lines 26-35, describing network devices).

In considering claim 17, Kidder further discloses producing a graphical diagram of a segment of the communication network to which the notification message textual definition applies (col. 7, lines 15-20, "iconic map;" Fig. 5).

In considering claim 22, claim 22 presents a system for performing the same method as claims 4, and is thus rejected for the same reasons.

In considering claims 24-27, claims 24-27 present a system for performing the same method as claims 7-10, and are thus rejected for the same reasons.

Response to Arguments

Applicant's arguments filed on December 10, 2004 have been fully considered but they are not persuasive. Regarding the arguments, Applicant contends the following:

Nothing in Kidder et al. teaches or suggests the storage and use of a set of processing rules for correlating the received notification messages with managed correlational orbs and for determining or designating to which correlation orb the notification message corresponds.

Examiner respectfully disagrees with this argument. Note that the claim terms such as "information," "orb," and "processing" are broad terms and have been interpreted as such. The term "orb" in specific is described in the specification as a

“relational grouping” (see p. 6, line 13). Given this interpretation, Kidder et al. discloses the claimed invention for the reasons stated in the above claim rejections.

Notably, the “information” taught by Kidder is the “network topology and site data” (see col. 9, lines 5, 28-29), the “notification messages” taught by Kidder are the “alarm reports” (see col. 9, lines 1-2), the “pre-established managed correlational orbs” taught by Kidder are the “created event reports” (col. 9, line 3), and the “rules for processing” are the rules telling the system to group the alarm reports along with their associated network topology and site data into the created event report (see col. 9, lines 1-5, 19-34). Kidder et al. discloses the storage and use of a set of processing rules for correlating the received notification messages with managed correlational orbs (the system correlates certain alarm reports with certain events) and for determining or designating to which correlational orb the notification message corresponds (i.e. the system determines which event the alarm reports belong to and generates an event report).

Therefore, Kidder discloses the claimed invention, as described in the claim rejections above.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within

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TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bradley Edelman whose telephone number is 571-272-3953. The examiner can normally be reached from 9 a.m. to 5 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glen Burgess can be reached at 571-272-3949. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Bradley Edelman

BE

April 25, 2005